

DECLARATION FOR UTILITY PATENT APPLICATION

AS A BELOW-NAMED INVENTOR, WE HEREBY DECLARE THAT:

Our residence, post office address, and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: OPTICAL DEVICES FOR CONTROLLING INSERTION LOSS, the specification of which is attached hereto unless the following box is checked:

☐ was filed on _____ as United States Application Serial No. _____.

WE HEREBY STATE THAT I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS. AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

We acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Application No.	Country	Date of Filing (day/month/year)	Priority Claimed?
			<input type="checkbox"/> Yes <input type="checkbox"/> No


We hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date
60/256,011	December 15, 2000


We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, we acknowledge the duty to disclose information which is material to

	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100
1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	

9/14/01
Date


Name: Jane L. Alm
Residence: 1873 Parkview Green Circle, San Jose, California 95131
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9/14/01
Date


Name: Liang ZHAO
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9/14/01
Date

Kenneth MCGreer
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Date


Name: Hao XU
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Citizenship: United States of America
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9/14/01.
Date

Wayne Wai Weng LUI (9/14/01, WL).

Name: Wayne Wai Weng LUI
 Residence: 39291 Marbella Terraza, Fremont, California 94538
 Citizenship: United States of America
 Post Office Address: 39291 Marbella Terraza, Fremont, California 94538

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Jane LAM et al.

Serial No.: To Be Assigned

Filing Date: Herewith

For: OPTICAL DEVICES FOR
CONTROLLING INSERTION LOSS

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

**PROSECUTION BY ASSIGNEE AND POWER OF ATTORNEY
UNDER 37 C.F.R. § 3.71**

BOX PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Lightwave Microsystems Corporation, the assignee of the entire right, title and interest in this patent application, under 37 C.F.R. § 3.71 hereby appoints:

Lisa A. Amii (Reg No. 48,199)
Mehran Arjomand (Reg No. P48,231)
Sanjay S. Bagade (Reg No. 42,280)
Erwin J. Basinski (Reg No. 34,773)
Richard R. Batt (Reg No. 43,485)
Jonathan Bockman (Reg No. 45,640)
Barry E. Bretschneider (Reg No. 28,055)
Nicholas Buffinger (Reg No. 39,124)
Mark R. Carter (Reg No. 39,131)
Peng Chen (Reg No. 43,543)

Randolph Ted Apple (Reg No. 36,429)
Laurie A. Axford (Reg No. 35,053)
Joseph Barrera (Reg No. 44,522)
Shantanu Basu (Reg No. 43,318)
Vincent J. Belusko (Reg No. 30,820)
Kimberly A. Bolin (Reg No. 44,546)
Tyler S. Brown (Reg No. 36,465)
A. Randall Camacho (Reg No. 46,595)
Robert K. Cerpa (Reg No. 39,933)
Alex Chartove (Reg No. 31,942)

Thomas Chuang (Reg No. 44,616)
 Cara M. Coburn (Reg No. 46,631)
 Raj S. Davé (Reg No. 42,465)
 Karen B. Dow (Reg No. 29,684)
 Carolyn A. Favorito (Reg No. 39,183)
 Hector Gallegos (Reg No. 40,614)
 Debra J. Glaister (Reg No. 33,888)
 Bruce D. Grant (Reg No. 47,608)
 Douglas G. Hodder (Reg No. 41,840)
 Charles D. Holland (Reg No. 35,196)
 Peter Hsieh (Reg No. 44,780)
 Wayne Jaeschke, Jr. (Reg No. 38,503)
 Richard D. Jordan (Reg No. 33,519)
 Ararat Kapouytian (Reg No. 40,044)
 Cameron A. King (Reg No. 41,897)
 Kawai Lau (Reg No. 44,461)
 Rimas T. Lukas (Reg No. 46,451)
 Gladys H. Monroy (Reg No. 32,430)
 Kate H. Murashige (Reg No. 29,959)
 Martin M. Noonan (Reg No. 44,264)
 Phillip Reilly (Reg No. 41,415)
 Terri Shieh-Newton (Reg No. 47,081)
 Kevin R. Spivak (Reg No. 43,148)
 Thomas L. Treffert (Reg No. P48,279)
 E. Thomas Wheelock (Reg No. 28,825)
 Frank Wu (Reg No. 41,386)
 Peter J. Yim (Reg No. 44,417)
 Karen R. Zachow (Reg No. 46,332)

Thomas E. Ciotti (Reg No. 21,013)
 Matthew M. D'Amore (Reg No. 42,457)
 Peter Davis (Reg No. 36,119)
 Stephen C. Durant (Reg No. 31,506)
 David L. Fehrman (Reg No. 28,600)
 Thomas George (Reg No. 45,740)
 Kenneth R. Glick (Reg No. 28,612)
 Johnney U. Han (Reg No. 45,565)
 Alan S. Hodes (Reg No. 38,185)
 Kelvan P. Howard (Reg No. P48,999)
 Jill A. Jacobson (Reg No. 40,030)
 Madeline I. Johnston (Reg No. 36,174)
 Parisa Jorjani (Reg No. 46,813)
 Richard C. Kim (Reg No. 40,046)
 Lawrence B. Kong (Reg No. P49,043)
 Glenn Kubota (Reg No. 44,197)
 Michael J. Mauriel (Reg No. 44,226)
 Philip A. Morin (Reg No. P-45,926)
 Mabel Ng (Reg No. P48,922)
 Catherine M. Polizzi (Reg No. 40,130)
 Debra A. Shetka (Reg No. 33,309)
 Rebecca Shortle (Reg No. 47,083)
 Stanley H. Thompson (Reg No. 45,160)
 Michael R. Ward (Reg No. 38,651)
 Todd W. Wight (Reg No. 45,218)
 David T. Yang (Reg No. 44,415)
 George C. Yu (Reg No. 44,418)

all of Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304-1018, telephone (650) 813-5600, to prosecute this application and transact all matters in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorneys in accordance with the provisions of 37 C.F.R. § 3.71 provided that if any one of said attorneys or agents ceases being affiliated with the law firm of Morrison & Foerster as partner, employee or of counsel, such attorney's or agent's appointment as attorney or agent and all powers derived therefrom shall terminate on the date such attorney or agent ceases being so affiliated.

Please direct all written communications relative to this application to:

Sanjay S. Bagade
 Morrison & Foerster LLP
 755 Page Mill Road
 Palo Alto, California 94304-1018

Please direct all telephone communications to Sanjay S. Bagade at (650) 813-5720.

Lightwave Microsystems Corporation
a Delaware corporation

Dated:

9/12/01



Name: Martin Lundie
Title: Vice President and CFO
Address: 2911 Zanker Road
San Jose, California 95134

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Jane LAM et al.

Application No./Patent No.: To Be Assigned

Filed/Issue Date:

Herewith

Entitled: OPTICAL DEVICES FOR CONTROLLING INSERTION LOSS

Lightwave Microsystems Corporation, a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

[] Additional documents in the chain of title are listed on a supplemental sheet.

- [] Copies of assignments or other documents in the chain of title are attached.

(NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

9/17/01

Date

Martin Lundie

Signature

Vice President and CFO

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Attorney Docket No.: 373722001200

na-677X14

T03T60 0E95660

**ASSIGNMENT
JOINT**

COPY

WING
WL, 9/14/01 THIS ASSIGNMENT, by Jane LAM, Liang ZHAO, Kenneth MCGREER, Hao XU, and
Wayne Wai Wang LUI (hereinafter referred to as the assignors), residing at 1873 Parkview Green
Circle, San Jose, California 95131; 4300 The Woods Drive #525, San Jose, California 95136; 843
Gregory Court, Fremont, California 94539; 955 Escalon Avenue, Apt. 211, Sunnyvale, California
95085; and 39291 Marbella Terraza, Fremont, California 94538, respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in OPTICAL
DEVICES FOR CONTROLLING INSERTION LOSS, set forth in an application for Letters Patent
of the United States, having an oath or declaration executed on even date herewith; and

WHEREAS, Lightwave Microsystems Corporation, a corporation duly organized under and
pursuant to the laws of Delaware and having its principal place of business at 2911 Zanker Road,
San Jose, California 95134 (hereinafter referred to as the assignee) is desirous of acquiring the
entire right, title and interest in and to said inventions and said application for Letters Patent of the
United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained
therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient
consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned,
transferred and set over, and by these presents do sell, assign, transfer and set over, unto said
assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to
the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or
Patents in the United States of America and all foreign countries which may be granted therefor and
thereon, and in and to any and all divisions, continuations and continuations-in-part of said
application, or reissues or extensions of said Letters Patent or Patents, and all rights under the
International Convention for the Protection of Industrial Property, the same to be held and enjoyed
by said assignee, for its own use and the use of its successors, legal representatives and assigns, to
the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and
entirely as the same would have been held and enjoyed by the assignors, had this sale and
assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said
assignee its successors, legal representatives and assigns, that, at the time of execution and delivery
of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in
and to said inventions and the application for Letters Patent above-mentioned, and that the same are
unencumbered and that said assignors have good and full right and lawful authority to sell and
convey the same in the manner herein set forth.

AND for the same consideration, said assignors hereby covenant and agree to and with said
assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel
of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that
any proceeding in connection with said inventions, or said application for Letters Patent, or any
proceeding in connection with Letters Patent for said inventions in any country, including
interference proceedings, is lawful and desirable, or that any division, continuation or continuation-
in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be
obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and

do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

9/14/01
Date
Jane LAM

State of California)
County of Santa Clara)ss.

On Sept. 14, 2001, before me, Barbara S. deRuyter, Notary Public
Date Name and Title of Officer (e.g., Jane Doe, Notary Public)

personally appeared Jane Lam
Name(s) of Signer(s)

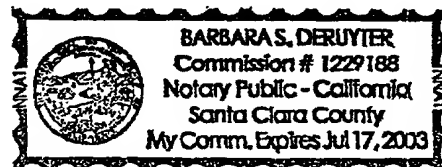
- ☒ personally known to me
☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Place Notary Seal Above

Barbara S. deRuyter
Signature of Notary Public



0955630-091801

09/14/01 Liang Zhao
Date Liang ZHAO

State of California)
County of Santa Clara)ss.

On Sept. 14, 2001, before me, Barbara S. de Ruiter, Notary Public,
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Liang Zhao
Name(s) of Signer(s)

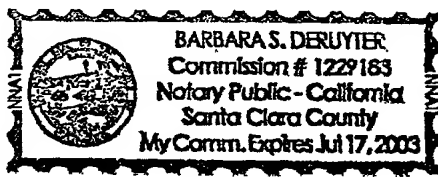
- ☒ personally known to me
☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to
the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their
authorized capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s), or the
entity upon behalf of which the person(s) acted,
executed the instrument.

WITNESS my hand and official seal.

Place Notary Seal Above

Barbara S. de Ruiter
Signature of Notary Public



9/14/01 Ken McGreer
Date Kenneth MCGREER

State of California)
County of Santa Clara)ss.

On Sept. 14, 2000, before me, Barbara S. deRuyter, Notary Public,
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Kenneth McGreer,
Name(s) of Signer(s)

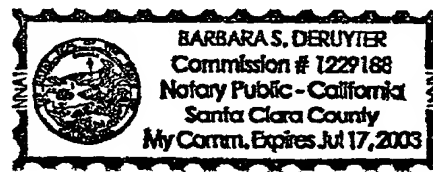
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entity upon behalf of which the person(s) acted,
executed the instrument.

WITNESS my hand and official seal.

Place Notary Seal Above

Barbara S. deRuyter
Signature of Notary Public



9/14/01
Date
Hao XU

State of California
County of Santa Clara)
ss.

On Sept. 14, 2001, before me, Barbara S. deRuyter, Notary Public,
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared Hao Xu,
Name(s) of Signer(s)

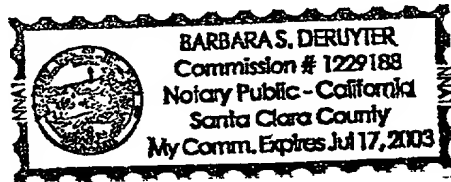
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entity upon behalf of which the person(s) acted,
executed the instrument.

WITNESS my hand and official seal.

Place Notary Seal Above

Barbara S deRuyter
Signature of Notary Public



Date 9/14/01. Wayne Wai Wang LUI
Wayne Wai Wang LUI
Wing (WL, 9/14/01).

State of California)
County of Santa Clara)ss.

On Sept. 14, 2001, before me, Barbara S. deRuyter, Notary Public,
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Wayne Wai Wang LUI
Name(s) of Signer(s)

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entity upon behalf of which the person(s) acted,
executed the instrument.

WITNESS my hand and official seal.

Barbara S. deRuyter
Signature of Notary Public

Place Notary Seal Above

